IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 16576 of 2007(W)

PETITIONER:

ABDUL MAJEED, S/O.MOHAMMED,
AGED 52 YEARS, RESIDING AT THAMARASSERY HOUSE,
THRIKKAKARA P.O.

BY ADV. SRI.P.DEEPAK

RESPONDENT:

THE REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM.

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.16576/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE PROCEEDINGS OF THE RESPONDENT DATED 15.3.2007.

/TRUE COPY/

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO.16576 OF 2007

DATED THIS THE 14th DAY OF JUNE, 2007

JUDGMENT

The petitioner's application for regular permit was adjourned on the ground that the petitioner does not have a ready vehicle. The petitioner submits that in the decision of **Aboobacker Vs. RTA (2005 (1) KLT 987)**, it has been held that the availability of the ready vehicle is not a jurisdictional pre-condition for the consideration of the application for regular permit and that the current records of the vehicle need be produced within the statutory period of thirty days from the date of grant of permit.

2. In the above circumstances, the petitioner has approached this Court for the following reliefs.

> (1) issue a writ in the nature of certiorari or such other writ, order or direction calling for the records leading to Exhibit P1 and quash the same.
>
> (ii) issue a writ in the nature of Mandamus or such other writ, order or direction commanding the respondent to consider and pass orders on the application for regular permit, adjourned vide Exhibit P1, on merits in the light of the decision of this Honourable Court report in 2005(1) KLT 987.
>
> (iii) issue such other appropriate writ, order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. The legal position as above is not disputed by the learned Government pleader. In the above circumstances, the respondent is directed to consider the application of the petitioner in its next meeting.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd